

**INDIANA PUBLIC DEFENDER COUNCIL
Board Of Directors Meeting
December 9, 2010
Omni Severin Hotel
Indianapolis, IN**

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair David Cook at 7:15 PM in the Notre Dame Room of the Omni Severin Hotel, Indianapolis. Board members present were Zaki Ali, David Cook, David Hennessy, Jeff Lockwood, Michelle Kraus, Mike McDaniel, and Lorinda Youngcourt. Staff present were Larry Landis, Teresa Campbell, Don Murphy, Andrew Cullen and Loretta Jackson.

II. APPROVAL OF MINUTES

The minutes were unanimously approved as amended.

III. EXECUTIVE DIRECTOR'S REPORT

A. ADMINISTRATION

Larry Landis reported that after Loretta Jackson's retirement on December 30th, her routine duties will be handled by IPDC staff and the more specialized responsibilities, such as publications, will be done on contract.

B. GRANTS

Larry reported that the current management information system (MIS) grant has been extended through June, 2011, and a new grant proposal has been submitted which, if funded, should allow completion of phase 1. Don Murphy stated that phases 2 and 3 consist of additional features that would enhance the MIS capabilities, but are not necessary for it to be functional. He also reported that Washington, Lake and Monroe Counties have applied for JAG-Byrne grants to fund implementation of the MIS, purchase computers and for training.

IV. TRAINING

Larry reported that the seminar account is in good shape financially with a current balance of \$73,000. It was decided that the county case reviews that Don Murphy conducts should be included in the seminar profit and loss statement, even when there is no associated cost.

Don stated that Doug Long has scheduled three one-hour seminars next year for Madison County.

Dave Cook and Lorinda Youngcourt will be attending immigration training in Arizona, and the Council is providing \$500 each to assist in covering expenses. After the training, they will be resources to our members who have questions about immigration consequences for the clients convicted of a crime.

David Hennessy requested a report from Don concerning his efforts to measure the quality of indigent defense representation. Don responded that he has been meeting with Public Defender Boards and County public defender offices, but so far no county has shown much interest in evaluating the quality of indigent defense services. He has created assessment forms and is close to getting Monroe and Allen Counties to use them. The problem is that there is no demand among public defenders for such a measurement. When he speaks with the counties they state they believe the quality of representation is good, even though they have no data to confirm their belief. He also said that most PD Boards don't really know what they're supposed to do, or what their mission is.

Dave Cook wondered if the Public Defender Commission can create a requirement that the counties collect data or explain to the counties that a quality control system will be implemented and its better us than someone else. Larry responded that we need data to present to the Commission. The new MIS will collect data, which can be shared with the Commission. He said that creating a state-wide public defender system would be the way to go, but the economic downturn has put that on hold for now. He did say that Chief Justice Shepherd supports a state funded system and quality control and oversight.

Mike McDaniel reported that Scott County has voluntarily left the reimbursement program due to caseloads and had been appointing counsel in 95% of cases. He met with judges there and they are going to implement a new system, where, instead of automatically appointing a public defender, they will now set a review date 7-10 days after first court date, tell the accused person to look for a private attorney, that they may have to contribute to the county supplemental public defender fund, and those who can't make bail must complete a pauper affidavit before being appointed counsel.

V. CRIMINAL JUSTICE POLICY & LEGISLATION

Larry reported on the results of the Criminal Code Evaluation Committee. The Committee will meet on December 16th to vote on the final recommendations, except for drug sentencing. The IPAC Board of Directors voted 11-6 to reject the drug sentencing recommendation to the surprise of everyone on the committee. Steve Johnson of IPAC is going to continue working on the drug sentences with his board and perhaps will propose an amendment during the session. Despite the drug sentencing setback, there are still many improvements included in the proposed legislation.

Larry stated that part of the problem is that many prosecutors see the state fiscal crisis as the state's problem for which they share no responsibility. However, the legislature needs to reduce the DOC budget to produce a balanced state budget without raising taxes, which means there will be support for reducing sentences for drug offenses.

Larry also distributed a spreadsheet created by IDOC showing the race of those incarcerated on drug offenses, which shows an alarming racial disparity in sentences for drug dealing.

VI. NEW BUSINESS

None


VII. MEETING

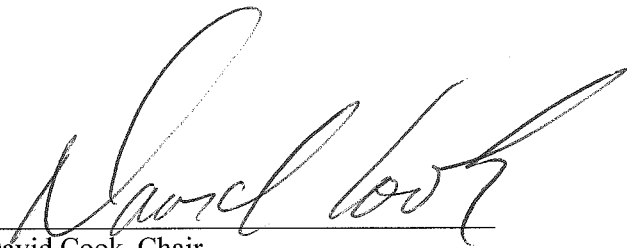
The next board meeting will be held on Thursday, January 20, 2011 at 7:00 PM to discuss legislation.

The meeting was adjourned at 8:15 PM.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Lorinda Youngcourt, Secretary


David Cook, Chair

5/12/2011

**INDIANA PUBLIC DEFENDER COUNCIL
Board Of Directors Meeting
September 22, 2010
Mariott East Hotel
Indianapolis, IN**

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair David Cook at 6:15 PM in Salon 6 of the Mariott East Hotel, Indianapolis. Board members present were Zaki Ali, David Cook, David Hennessy, Jeff Lockwood, Michelle Kraus, Mike McDaniel, Sonya Scott, Neil Weisman and Lorinda Youngcourt. Staff present were Larry Landis, Teresa Campbell, and Loretta Jackson.

II. APPROVAL OF MINUTES

The minutes and agenda were unanimously approved as submitted

III. EXECUTIVE DIRECTOR'S REPORT

A. BUDGETS

Larry reported that the governor has requested a 10% reduction from last year's base budget of \$1.3 million. State agencies have been instructed to not ask for any new programs.

Larry reported that the Public Defender Commission is currently funded as \$18.25 million per year and Deborah Neal estimates the Commission will need \$21.5 million to fully reimburse the eligible counties. The Chief Justice has indicated he will ask for the amount needed.

Larry directed the Board's attention to the Public Defender Commission report from Deborah Neal which indicates that all reimbursement requests were approved at the most recent meeting and that several counties were exploring joining the reimbursement program. Micki Kraus said that LaGrange County probably will not join. Zaki Ali stated that Delaware County is broke and is offering employees money to retire early. He thinks they will also seek state reimbursement.

B. GRANTS

The \$50,000 juvenile training grant submitted to CJI was denied, but there may be other opportunities to obtain training funds. The \$500,000 grant for the PD module has been extended to 2011. The Council will likely file another grant for Bryne/JAG funding in 2011.

Currently, Monroe and Floyd counties are using the public defender module. Reports from staff are favorable.

IV. PUBLICATIONS/RESEARCH/WEB SITE

There are no current policy issues. The website is still evolving. It was mentioned that we need to remind people of our website at our seminars.

V. TRAINING

Lorinda Youngcourt will look for a lawyer to work with Kim Hart on the Child Abuse/Domestic Violence seminar to be held in 2011.

Larry reported that Eric Lawrence of the Indiana State Police proposed holding forensic science training for public defenders in the State Police Labs around the state. He proposed training in six disciplines and DNA. Larry suggested a one day program on the 5 areas and a one day program on DNA. Public Defenders would get access to the State Police labs, tour the labs, and meet their analysts. We would use their training rooms and a charge a minimal amount, say \$25. Training could start in April, 2011.

Mike McDaniel asked if we want to offer a trial preparation seminar prior to TPI, as discussed at the annual retreat. It was decided to put it on the agenda for the January board meeting. No work has been done on it yet, but it will either be developed or dropped by then.

Don Murphy is meeting with public defender boards in various counties to determine what, if anything, they are doing to measure quality. He is trying to persuade them to do something regarding quality control, because they must measure quality if they want a state-wide system. Unfortunately, we have no authority over county boards. We can try to convince them but we have no power to force them.

David Hennessy stated that we need to gather data first, but Larry pointed out that there is no data to gather. Larry asked the question, "what do you measure to assess quality?" David wants to know what the counties are saying, and requested that Don Murphy attend the next board meeting to provide a more expansive report on what he's doing.

Larry stated that there will be objective, hard data available once the public defender module for the Odyssey system is state-wide. He said the public defender module will have many options that the county can choose from to measure quality. The plan is to build bridges so the PD module can interface with CSI, Court View and other systems, once the Odyssey system is fully implemented.

VI. CRIMINAL JUSTICE POLICY AND LEGISLATION

A. CRIMINAL CODE EVALUATION

Larry reported on the status of the Criminal Code Evaluation Commission (CCEC). The Commission is operating on a two-track system. There is a steering committee funded by the State and the Pew Center on the States. The second track is a Working Group composed of Steve Johnson of IPAC, Judge John Marnocha and Larry Landis, which is tasked with preparing draft proposals for changes in the criminal code. The following proposals are currently being considered:

1. Theft: misdemeanor if less than \$500; D felony between \$500 and \$50,000 and C felony over \$50,000.
2. Forgery: tracks the amounts in theft.
3. Expungement: no consensus at this time. Judge Marnocha wants no expungement, even if the case results in an acquittal.
4. Allow judicial discretion in sentencing, suspendibility and modifications.
5. Drugs: In order to reduce prison overcrowding, drug penalties must be reduced. We are proposing changing the definition of manufacture, increasing minimum weight requirements, and eliminating geographic enhancements.
6. D felonies: There are currently 6000 people in the DOC on D felony convictions. There will be suggestions for reducing the number of D felons committed to the DOC.

Other suggestions by the board included:

- proving palpable harm in order to enhance charge/sentence;
- make crime suspendible despite prior conviction;
- put a time limit on priors that can be used as an enhancement;
- combine HSO and HO into one statute; a substance offense should not be counted toward a regular HO enhancement
- eliminate possession as counting toward the habitual
- place a time limit on prior conviction that can be counted toward habitual
- redefine terms bodily injury and serious bodily injury
- eliminate the battery enhancement of a child in the room – this is being used quite often to increase the charge.
- eliminate GBMI or have it be a built-in mitigator
- enhance community corrections to included more sentences - put more money into community corrections
- enhance options between probation and prison. Larry thinks the Pew group will suggest eliminating parole.
- modify HTV - currently 400 people are in prison for doing nothing more than driving.

B. LEGISLATION

We will propose the following legislation in 2011:

1. a new court rule or statute prohibiting juvenile waiver of counsel without first talking to counsel; and
2. expungement.

VII. NEW BUSINESS

None

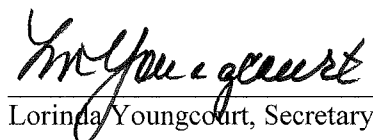
VIII. MEETINGS

The next board meeting will be held on Thursday, December 9, at 6:00 PM, prior to the ethics seminar.

The meeting was adjourned at 7:50 PM.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Lorinda Youngcourt, Secretary


David Cook, Chair

DATE: 12/9/10

INDIANA PUBLIC DEFENDER COUNCIL
Board of Directors Meeting
June 5, 2010
Belterra Resort and Casino
Florence, Indiana

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair Mike McDaniel at 9:05 AM in the Cedar Room of the Berteroa Resort and Casino. Board members present were Zaki Ali, David Cook, David Hennessy, Bob Hill, Mike McDaniel, Neil Weisman and Lorinda Youngcourt. Staff present were Larry Landis, Don Murphy, Teresa Campbell, and Loretta Jackson.

II. APPROVAL OF MINUTES

The minutes were unanimously approved as submitted. The agenda was modified by acclamation to consider the Gideon and Gault awards, training, and election of officers before the lunch break.

III. AWARDS

After discussion of the qualifications of those nominated, Jill Johnson was selected to receive the Gault Award and Eric Koselke the Gideon Award.

David Hennessy proposed adding a third annual award for attorneys working primarily on post-conviction and appellate cases. After discussion, a motion was unanimously adopted to establish such an award, to be named later.

IV. ELECTION OF OFFICERS

The following slate of officers was nominated and unanimously approved for FY 2010-11:

Chair:	Dave Cook
Vice-Chair:	Micki Kraus
Secretary:	Lorinda Youngcourt

V. TRAINING

A. Budget

Larry Landis reported that training is going well even without a training director. TPI was a success. The evaluations were great and participants enthusiastic. Juvenile (50 attendees) and appellate (65 attendees) were also a success.

Larry reported that the money not used for a Training Director is the primary source of the funds used to comply with the Governor's requested reversion of 10% of an agency's budget. He also reported that state agencies will also be requested to revert 10% of their budget in the fiscal year beginning on July 1. After the legislature passes the FY 2011-13 budget, we will re-evaluate the need for a training director and the possibility of offering scholarships to TAI or

lowering the registration fees for our one-day seminars.

B. Trial Practice Institute (TPI):

1. After a discussion of the most recent TPI, a general consensus was reached on the following:
 - a. the current format is working but we will continue to make changes as needed in the future;
 - b. even though the time commitment from private attorneys as faculty is difficult, faculty attendance at pre-seminar training should be mandatory so they understand the teaching methods and techniques used for TPI;
 - c. Don Murphy should be present to help with completing performance development forms; and
 - d. the attendees should be provided basic information in writing, DVD, or on-line, on subjects such as jury selection, direct and cross-examination, opening statements, closing arguments, etc., prior to TPI.
2. Lorinda Youngcourt suggested that a staff attorney should be present each day to answer questions and assist with research demonstrations (perhaps with "canned" evidence issues) and that Dawn Nolan should be present for technical issues and videos.
3. Mike McDaniel stated that it may be time to consider expanding the DUI section to more days since it takes at least half a day to teach just SFST. Another suggestion was made to provide on-line training prior to attending TPI. No decision was reached as to the best response.

C. Other Training Programs

1. Annual Update Seminar - Larry Landis reported that Brian Lovins, University of Cincinnati, will be speaking on the new risk assessment instruments which Indiana will be using for juveniles to set bail, probation and detention.
2. Drugs, Search, Evidence - The committee (David Hennessy, chair, Mike McDaniel, and Micki Kraus) are handling details.
3. Advanced Courtroom Persuasion - Will be held September 24, 2010. It will be restricted to 12 attendees: 6 from the Marion County Public Defender Agency and six other IPDC members.
4. Ethics - Bob Hill is in charge of this program and will report on the progress at a later time.

D. 2011 Training

1. Trial Practice Institute (TPI) - same method of delivery and same committee.
2. Juvenile - Kim Tandy Brooks of the Child Law Center will assist us in conducting a two day program.
3. Appellate - same format with Ann Sutton in charge.
4. Death Penalty - Bob Hill suggested expanding the DP seminar to include LWOP and

homicide cases. It was also suggested that mitigation, mental health issues and domestic violence be included, perhaps by concentrating on the death penalty on day one, and other issues on day two. The training committee will discuss these recommendations and report back to the board on changes in the death penalty seminar.

5. David Hennessy proposed adding a seminar next year on the "science of a trial", including information on openings, cross-examinations, closing, evidence – techniques that would apply to all trials. Zaki Ali suggested that we do a series of videos on different subjects that would be available for purchase. After discussion it was decided to schedule a "science of the trial" seminar for 2011. The seminar can be videotaped, broken down into segments, with a short intro before each segment. The video will be made available on DVDs or on-line. Larry requested that the board submit subjects to be included to him and he will send them to the training committee which will meet on the evening before the Annual Update Seminar.
6. Lorinda Youngcourt suggested that instead of having an ethics seminar in December 2011, we do a program on child molest/child abuse/domestic violence. The Training Committee will decide the final topic and consider requesting the assistance of Kim Hart.
7. Teresa Campbell reported that the downtown JW Marriott will open next year and they have offered us a deal to hold the annual update seminar there in 2011. After a discussion, the board voted to hold the annual update seminar at the Marriott instead of at Primo's.

E. County Public Defender Office Training

1. Don Murphy reported on his work re: in-house training programs in county public defender offices. The Case Review program with Ernie Lewis has been well received. There have been two sessions in Monroe County, and one each in Tippecanoe and Allen Counties. The plan is to have a local person within the county facilitate the review rather than have IPDC do it. This program has highlighted just how little brainstorming and collaboration is being done within county offices.
2. Don reported that no progress has been made by the Indiana Chief Defenders Association (ICDA) in creating a uniform performance management system. Thus, he has started meeting with County Public Defender Boards. All board members interviewed expressed a belief that the quality of representation is high in their county, but they have no way of measuring it. Currently the Public Defender Commission does not require quality standards for reimbursement. IDC has developed five tools to measure quality and we are trying to get counties to try the different methods so we have a measurable method to present to the Commission.

VI. PUBLICATIONS

The search and seizure pamphlet and the sentencing manual will be ready for sale at the Annual Update Seminar. The Goggle search engine is not being used as much as we hoped. There will be a demonstration at annual update.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Budget

Larry reported the two-year budget request is due in August. IDC funding has been flat since

2007. He hopes to maintain current funding levels.

B. Systems and Funding

Larry reported that the Public Defender Commission will need \$21.5 million in FY 2011-12 and \$23 million in FY 2012-13 in order to fully reimburse all counties eligible for reimbursement. He believes it will be very difficult to increase funding or even maintain current levels. State revenues are down approximately \$1 billion. It is possible that the budgets for all state agencies could be reduced by 10%. Larry's concern is that if the Public Defender Commission budget is cut and reimbursement is prorated down to 25% - 30%, counties will decide it is no longer cost-effective to comply with state standards and withdraw from the reimbursement program. The result will be a reduction in the number of public defenders and an increase in caseloads. Therefore, he and Andrew Cullen will be initiating a Key Contact Program to get our members contact their legislators to explain the importance of state funding for indigent defense. Information of this program will be distributed at the Annual Update Seminar.

C. Criminal Code Evaluation Commission

The Criminal Code Evaluation Commission was created last year and will start meeting soon. The Commission has asked for assistance from the Pew Center and the Council for State Governments in developing state data and making suggestions on how to reduce Indiana's prison population. Larry hopes to: (1) increase felony classes from 4 to 6, which will make it easier to reduce some sentences; (2) eliminate the 1000 feet enhancement for drug offenses; (3) eliminate the requirement of prosecutor's consent for a sentence modification after 365 days; and (4) increase the use of cash deposit bail.

D. Legislation

In the next legislative session, he will also attempt to get passed prohibition of execution of the mentally ill, expungement, and no waiver of counsel by juveniles.

E. Public Defender Module

Don reported on the progress of the Public Defender Module being developed by JTC to interface with the Odyssey case management system. The module is being built so that it can be used with Odyssey, CAI, or Courtier.

VIII. NEW BUSINESS

A. *Padilla v. Kentucky*

Bob Hill expressed concerns about the repercussions of the *Padilla* requiring attorneys to inform clients of immigration consequences of convictions. David Cook said he reads *Padilla* as saying if it is a deportable offense the attorney has an affirmative duty to tell the client or it is ineffective assistance of counsel under the 6th Amendment, and a public defender office must either educate their lawyers or contract with someone who can explain the consequences to clients. David Cook agreed to look at a list of deportable offenses and speak with Maria Baldini, who is an expert on this subject and has contracted to update our Immigration Consequences of Criminal Convictions pamphlet. Neil Weisman also suggested that the Council identify immigration lawyers around the state that can be contacted for advice.

B. Committees

Lorinda Youngcourt was added to the Training Committee.

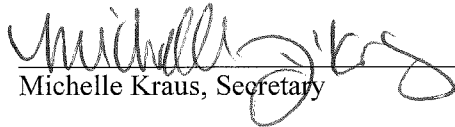
IX. MEETINGS:

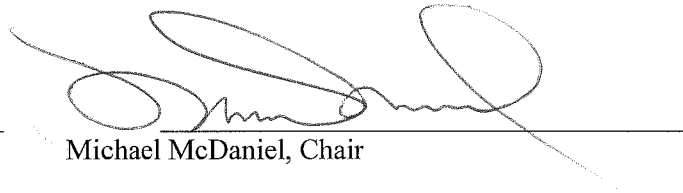
A short board meeting will be held on Friday, June 25 after the Annual Update Seminar to discuss the "Science of Trials" seminar for 2011. The Training Committee will meet on Thursday, June 24 at 6:00 PM. A board meeting will be held September 22 at 6:00 PM prior to the Drug, Evidence, Search & Seizure Seminar

The meeting was adjourned at 3:00 P.M.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Michelle Kraus, Secretary


Michael McDaniel, Chair

**Board Meeting
March 4, 2010
Crowne Plaza Hotel
Indianapolis, Indiana**

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair Mike McDaniel at 6:06 PM in the Board Room of the Crowne Plaza Hotel. Board members present were David Cook, David Hennessy, Bob Hill, Mike McDaniel, Sonya Scott, Neil Weisman and Lorinda Youngcourt. Staff present were Larry Landis, Teresa Campbell, and Loretta Jackson.

II. APPROVAL OF MINUTES

The minutes were unanimously approved as submitted.

III. EXECUTIVE DIRECTOR'S REPORT

A. Administration

Larry reported no changes.

B. Web site and Google Search

Larry reported that the new web design with the Google search function is now operational, which Lorinda demonstrated for the Board.

Larry reported that he wants to charge private criminal defense attorneys \$100 per year to access our site. Currently, there is a one-time fee of \$25.00. After a discussion of whether to charge, how much to charge, what constitutes a "regularly appointed" public defender and whether IPDC can stipulate a certain number of indigent cases per year (we can't), it was moved, seconded and passed that IPDC would charge \$100 per year for private attorneys, with a review of the new policy after one year.

C. Public Defender Module/JTAC

Larry reported that the first phase of the PD Module should be ready in July and completed by October. He also stated that a number of counties are keeping CSI. CSI has a case management information system that needs to be updated. Larry and Don are going to meet with Kevin Cook of CSI to discuss updating their MIS and developing a system that will interface with CSI. Lorinda brought up that 52 counties use DOXPOP and why aren't we working with them. Larry stated that we don't want to pay DOXPOP when we can go directly to the source – the courts – for free.

D. Quality Standards

Larry reported that public defender offices are not embracing the concept of internal quality control, but that the case review training sessions with Ernie Lewis have gone well. However, we cannot rely solely on Ernie and need to get our board members and other attorneys involved.

E. Training

Bob Hill, Mike McDaniel, Lorinda Youngcourt and Dave Shircliff are working on TPI, scheduled for April.

Larry will coordinate the Annual Update. Bob Hill and Mike McDaniel suggested having public defenders from different regions in the state report on what's happening in their area or on successful programs that could be implemented in other regions.

Lorinda suggested asking Dave Lewis to speak at annual. She agreed to contact him.

IV. INDIGENT DEFENSE SYSTEMS

Larry stated there are no new developments at this time.

V. LEGISLATION UPDATE

Larry reported on a generally successful session – few new crimes or enhancements.

HB 1271 - passed as proposed; in conference committee. Diversion must be approved by judge and prosecutor, no guilty plea required.

SB 149 - DCS wants statutory authority to interview a child without parental consent. Larry has been fighting over the use of the word "shall" vs "may" in directing the court to order the interview.

SB 224 - "sexting" - has been sent to the Sentencing Policy Study Committee.

SB 340 - reduced standard period parole from two years to one year.

SB 415 - new credit time system; six months off for cognitive behavioral therapy.

VI. NEXT MEETING

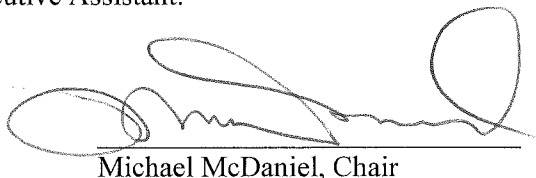
The next meeting of the Board of Directors will be the annual board retreat on June 4-5, 2010 at Belterra Resort in Switzerland County.

The meeting was adjourned at 7:20.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Michelle Kraus, Secretary


Michael McDaniel, Chair

INDIANA PUBLIC DEFENDER COUNCIL

Board Meeting

January 23, 2010

Hilton Garden Inn

Indianapolis, Indiana

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair Mike McDaniel at 1:00 PM in the Kurt Vonnegut Room of the Hilton Garden Inn. Board members present were Zaki Ali, Susan Carpenter, David Cook, David Hennessy, Bob Hill, Jeff Lockwood, Mike McDaniel, Sonya Scott, Neil Weisman and Lorinda Youngcourt. Staff present were Larry Landis, Teresa Campbell, Andrew Cullen and Loretta Jackson.

II. APPROVAL OF MINUTES

The Minutes of the December 10, 2009 were amended to add Mike McDaniel and David Shircliff to the TPI program committee, correct minor typographical errors, and unanimously approved.

III. EXECUTIVE DIRECTOR'S REPORT

Larry reported that the Council was awarded the CJI grant for \$511,000 to fund the public defender module of JTAC's Odyssey system. Monroe County will most likely be one of the beta test sites and one more site is needed.

IV. LEGISLATION

The Board of Directors approved the following positions on proposed legislation with a vote of 9-0 with one abstention. (S = support; O = oppose)

- | | | |
|---|--------|--|
| O | HB1007 | Domestic battery |
| S | HB1020 | Authorized emergency vehicles.
Larry reported that he did recommend supporting this bill, but now the State Police have got this bill amended to permit traffic stops even if in an unmarked car and out of uniform, which is causing problems. |
| O | HB1097 | Halloween enticement |
| O | HB1100 | Inmate possession of a cellular device prohibited |
| O | HB1108 | Failure to yield to an emergency vehicle. |
| O | HB1113 | Reimbursement of incarceration expenses. |
| S | HB1115 | Sending of sexual material by cell phone or other media. |
| O | HB1144 | Bail. |
| S | HB1163 | Expungement of records of certain convictions.
Larry reported that he is trying to get this bill broadened as it currently applies only to DNA exonerations. He said it will pass out of committee but it needs to clarify how records will be sealed while keeping investigative files open. |
| O | HB1189 | Child trafficking. |
| S | HB1193 | Juvenile, education, and law enforcement matters. |

Larry reported this bill should pass. It will require that school police be properly trained to deal with students.

- O HB1198 Criminal conversion of leased motor vehicles
- O HB1215 Impaired driving.
- O HB1220 Penalty for consumption of alcohol by a minor.
- O HB1233 Stationery and postage for indigent offenders.

- O HB1234 No contact orders.
This bill requires that no contact orders be automatically issued when bail is set.

- S HB1242 Credit time for behavior management programs.
- O HB1258 Animal regulation.
- S HB1259 Community transition programs for offenders.
- S HB1260 Expungement of certain felony conviction records.

- O HB1271 Problem solving courts
Larry recommended supporting this bill. It requires the Judicial Center to adopt rules for certification and operation of the courts. Currently any county can create a problem solving court with no rules or restrictions. Bob Hill objected, saying the bill does not protect the defendants' constitutional rights, and requires the defendant to plead guilty. Jeff Lockwood said the requirement that the prosecutor agree to allow the Defendant go to problem solving court should be eliminated. Larry responded that this bill does that. After discussion, a motion was passed 5-4 to oppose this bill as long as it has no constitutional safeguards. It was also moved and passed that the Council will set up a committee to propose rules for drug and problem solving courts. The Committee will consist of Bob Hill and Lorinda Youngcourt. Chief Public Defenders and/or drug court defenders will also be asked to participate.

- O HB1272 Ignition interlock devices
- O HB1273 Use of minor's identity for sexual gratification.
- O HB1276 Domestic violence, bullying, and sending of sexual material.
- O HB1290 Inappropriate relationships with students.
- O HB1291 Child exploitation.
- S HB1296 Habitual offender statutes.
- S HB1298 Expungement of certain conviction records.
- O HB1301 Murder sentencing and sentence enhancements.
- O HB1310 Certain sex offenders and school property.
- O HB1326 Ban sex offenders from public libraries.
- O HB1338 Methamphetamine production.
- O HB1354 Conditional early release bond.
- O SB0005 Animal fighting contests.
- O SB0026 Child solicitation.
- O SB0027 Habitual offender filing deadline.
- O SB0043 Murder sentencing and sentence enhancements.
- O SB0071 Unlawful termination of pregnancy.

- S SB0081 Criminal law and sentencing policy study committee.
Larry reported that the bill was amended to take appointments to the committee away from the governor and give to judges.

- O SB0088 Conversion of leased motor vehicles.

- O SB0089 Use of DNA evidence.
- O SB0093 Yield to stationary utility service vehicles.
- O SB0101 Invasion of privacy by photography.
- O SB0147 Law enforcement issues.
- S SB0148 Corrections and developmental disabilities.
- S SB0152 Sharing sexually explicit material.
- O SB0167 Purchase of ephedrine and pseudoephedrine.
- S SB0185 Motor fuel theft.
- O SB0201 False statements and elections.
- O SB0202 Rape reporting.
- O SB0221 Conditions of hardship licenses.

- O SB0224 Electronic dissemination of indecent material.
This bill will make dissemination a delinquent act instead of child pornography

- O SB0247 Ignition interlock devices.
- O SB0248 Electronic dissemination of indecent material.
- O SB0264 Prohibit alcohol on school property.
- O SB0265 Resisting law enforcement and license suspension.
- S SB0269 Parole eligibility for certain crimes.
- O SB0286 Ignition interlock devices.

- S SB0290 Probation.
Amends law to allow counties which are not capable of constant electronic monitoring to still participate in the home detention program.

- O SB0293 Bail
- S SB0338 Expungement of arrest records.

- S SB0340 Parole board duties.
Larry met with the chair of the parole board concerning this bill and discussed ways to decrease the number of people eligible for lifetime parole

- O SB0380 Drug and alcohol abuse and commitments.
- O SB0391 DNA samples from felony arrestees.
- O SB0411 Offenders owing child support.
- S SB0415 Discharge of long term inmates.

V. OLD BUSINESS

A. Budget Cuts

At the last meeting Larry reported that the OMB requested that judicial branch agencies cut 10% from their budgets. Larry reported that IPDC has agreed to revert back 5%. The Chief Justice did not set a specific amount to be cut but will make cuts program by program.

VI. NEXT MEETING

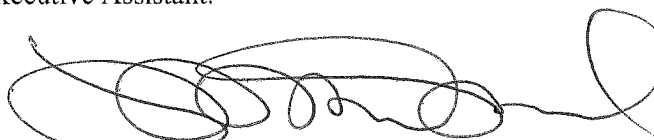
The next meeting of the Board of Directors will be held Thursday March 4, at 6:00 P.M. at the Crowne Plaza Hotel, (old) Airport. The Board was also reminded that the annual board retreat will be on June 4-5, 2010 at Belterra Resort in Switzerland County.

The meeting was adjourned at 3:00.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Michelle Kraus, Secretary


Michael McDaniel, Chair